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F A C S I M I L E C O V E R S H E E T

TO: EXAMINER: DENISE B. ANDERSON (ART UNIT 2877)

CLIENT NUMBER: 51310

TELEPHONE: 571-272-8324 FAX: 571-273-8300

FROM: PAUL J. DITMYER, ESQ.

DATE: September 9, 2005

NUMBER OF PAGES (INCLUDING COVER SHEET): 20

COMMENTS/INSTRUCTIONS:

Please see attached Amendment responsive to Examiner's office action mailed June 9, 2005 for U.S. Patent Application Serial No. 10/631,271.

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Case No. GCSD-1231(51310)

MS Amendment
 Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

In re Application of: **MONTGOMERY**
 Serial No.: **10/631,271**
 Filed: **JULY 31, 2003**
 For: **OPTICAL PROFILING DETERMINING APPARATUS AND ASSOCIATED METHODS**

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Applicant qualifies as a small entity under 37 CFR § 1.27.☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)		SMALL ENTITY			LARGE ENTITY	
FOR:	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	FEE		RATE	FEE
TOTAL CLAIMS	38	38	0		X 25	\$	<u>OR</u>	X 50	\$
INDEPT CLAIMS	3	3	0		X 100	\$	<u>OR</u>	X 200	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 180	\$	<u>OR</u>	+ 360	
					TOTAL ADD'L FEE			TOTAL ADD'L FEE	\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 08-0870.☒ PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD:
CHRISTOPHER F. REGAN☒ This application is associated with Customer No. 27975.

September 9, 2005
 DATE


 PAUL J. DITMYER
 REG. NO. 40,455

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
MONTGOMERY)	Examiner: D. ANDERSON
)	
Serial No. 10/631,271)	Art Unit: 2877
)	
Filing Date: JULY 31, 2003)	
)	
For: OPTICAL PROFILING DETERMINING)	
APPARATUS AND ASSOCIATED)	
METHODS)	

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of June 9, 2005,
please enter the amendments and consider the remarks set out
below.

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this filing.

Remarks begin on page 13 of this filing.